

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 07-cr-49-01-SM

Anthony R. Capobianco

O R D E R

Defendant's assented-to motion to continue the trial (document no. 21) is granted. Trial has been rescheduled for the November 2007 trial period. Defendant shall file a Waiver of Speedy Trial Rights not later than September 5, 2007. On the filing of such waiver, his continuance shall be effective.

The court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation taking into account the

exercise of due diligence under the circumstances.

Final Pretrial Conference: October 29, 2007 at 4:30 PM

Jury Selection: November 6, 2007 at 9:30 AM

SO ORDERED.

August 28, 2007

/s/ Steven J. McAuliffe  
Steven J. McAuliffe  
Chief Judge

cc: Helen Fitzgibbon, Esq.  
Peter Horstmann, Esq.  
Timothy Bush, Esq.  
U. S. Probation  
U. S. Marshal